

REMARKS

Claims 1-25 are pending in the application with Claims 1, 7, 13 and 20 being in independent form. By the present amendment, the specification has been amended to overcome the Examiner's objection and Claims 1, 7, 13, 20 and 21 have been amended to overcome the Examiner's objection and to differentiate from prior art devices. A new Oath signed by all of the inventors is attached. With respect to the Affidavit filed under 37 CFR 1.131, Applicants are willing to provide additional evidence to establish diligence from a date prior to the date of reduction to practice of the Kelly et al. reference to the filing date of the present application. However, Applicants have first elected to amend the application.

Support for the amendments is provided on page 8, lines 10-18 of Applicants' originally filed patent application.

I. Rejection of Claims 1-25 under 35 U.S.C. 102(e) and 35 U.S.C. 103(a)

Claims 1-25 were rejected under 35 U.S.C. 102(e) and 35 U.S.C. 103(a) over U.S. Patent No. 6,705,527 by Kelly et al., issued on March 16, 2004 ("Kelly et al."). Kelly et al. describes a universal interface driver application specific integrated circuit for a data reading device which supports multiple host interface configurations through the use of shared communications lines.

Claim 1 recites:

An interface controller for interfacing a data acquisition device to at least one host device via at least one interface of a plurality of interfaces, the interface controller comprising:
a microcomputer for receiving data acquired by the data acquisition device and outputting a host device type signal; and
an interface circuitry in operative communication with the microcomputer for receiving the host device type signal and the

acquired data, selecting the at least one interface from the plurality of interfaces in accordance with the host device type signal, and transmitting the acquired data to the at least one host device in accordance with at least one format corresponding to said at least one selected interface, wherein the plurality of interfaces includes a USB interface, and at least two interfaces of the plurality of interfaces are provided on one circuit board;
wherein the microcomputer includes flash memory storing programmable instructions for enabling configuration of the interface circuitry. (emphasis added)

Kelly does not disclose or suggest a microcomputer including “flash memory storing programmable instructions for enabling configuration of the interface circuitry”, as recited in Applicants’ Claim 1. Applicants’ Claims 7 and 13 recite similar subject matter as Applicants’ Claim 1.

Claims 2-6, 8-12, and 14-19 depend from Claims 1, 7 and 13, respectively, and therefore include the limitations of Claims 1, 7 and 13, respectively. Therefore, for at least the same reasons given above for Claims 1, 7 and 13, Claims 2-6, 8-12, and 14-19 are believed to be allowable over Kelly et al., alone or in combination.

Claim 20 recites:

A method for interfacing a data acquisition device to at least one host device, the method comprising the steps of:
coupling the data acquisition device to the at least one host device with an interface controller;
determining a type of the at least one host device; and
configuring the interface controller for translating data received from the data acquisition device to at least one format suitable for being received by the type of the at least one host device, transmitting the translated data from the data acquisition device to the at least one host device, wherein the configuring step comprises selecting at least one interface from a plurality of interfaces stored within a memory of the interface controller, wherein the plurality of interfaces includes a USB interface, and at least two interfaces of the plurality of interfaces are provided on one circuit board.

Kelly et al., does not disclose or suggest “configuring the interface controller for translating data received from the data acquisition device to at least one format suitable for being received by the type of the at least one host device, transmitting the translated data from the data acquisition device to the at least one host device”, as recited by Applicants’ Claim 20. Claims 21-25 depend from Claim 20 and therefore include the limitations of Claim 20. Therefore, for at least the same reasons given above for Claim 20, Claims 21-25 are believed to be allowable over Kelly et al., alone or in combination. Accordingly, withdrawal of the rejection under 35 U.S.C. §102(e) and 35 U.S.C. §103(a) with respect to Claims 1-25 and allowance thereof are respectfully requested.

II. Rejection of Claims 2, 6, 9, 14, 16, 24 and 25 under 35 U.S.C. 103(a)

Claims 10-12 and 17-19 3-5 were rejected under 35 U.S.C. 103(a) over Behrens et al. in view of Kelly et al. Claims 10-12 and 17-19 depend from Claim 7 and Claim 13, respectively, and therefore include the limitations of Claims 7 and 13, respectively. Therefore, for at least the same reasons given above for Claims 7 and 13, Claims 10-12 and Claims 17-19 are believed to be allowable over Behrens et al. and Kelly et al., alone or in combination. Accordingly, withdrawal of the rejection under 35 U.S.C. §103(a) with respect to Claims 10-12 and 17-19 and allowance thereof are respectfully requested.

III. Conclusion

In view of the foregoing amendments and remarks, it is respectfully submitted that all claims presently pending in the application, namely, Claims 1-25, are believed to be in condition for allowance and patentably distinguishable over the art of record.

If the Examiner should have any questions concerning this communication or feels that an interview would be helpful, the Examiner is requested to call Applicants' undersigned attorney at the number indicated below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'George Likourezos', written over a horizontal line.

George Likourezos

Reg. No. 40,067

Attorney for Applicants

Mailing Address:
Carter, DeLuca, Farrell & Schmidt, LLP
445 Broad Hollow Road, Suite 225
Melville, New York 11747
631-501-5706
FAX: 631-501-3526

GL/JRN:mg